

Exhibit 6

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MEMO ENDORSED

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August 24, 2018

VIA ECF

Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/28/2018

Re: In re SKAT Tax Refund Scheme Litigation (18-cv-4047) (Master Docket)

Dear Judge Kaplan:

This letter motion relates to *SKAT v. Raubritter LLC Pension Plan, et al.*, Case No. 18-cv-04833, which has been consolidated within the above-referenced Master Docket.

We write on behalf of SKAT, the Plaintiff in this action, to request an extension of time to serve process on Defendant Raubritter LLC Pension Plan ("Raubritter") pursuant to Fed. R. Civ. P. 6(b) and this Court's Local Rule 7.1(d). SKAT requests an additional 90 days beyond the 90 days from the date the Complaint was filed to serve process on Raubritter. Despite SKAT's diligent efforts, it has not yet been able to effect service of process on Raubritter. In support of this request, SKAT states that:

1. This action was filed in this Court on May 31, 2018. Pursuant to Fed. R. Civ. P. 4(m), the original date by which SKAT must serve process on Raubritter is August 28, 2018.
2. Plaintiff made efforts to personally serve Raubritter by means of a process server, who unsuccessfully attempted to effect service at Raubritter's last known address, 160 Central Park South, Suite 1726, New York, New York 10019. As stated in the attached Affidavit of Attempted Service completed by John Athanasatos of Target Research & Investigation, the process server rang the doorbell and knocked on the door of Raubritter's address but received no reply. Mr. Athanasatos further states that a concierge indicated that Raubritter was not listed as a resident or owner in the building.

3. Plaintiff also sought to serve Raubritter by requesting that counsel for co-Defendant Adam LaRosa ("LaRosa"), Edward M. Spiro of Morvillo, Abramowitz, Gran, Iason & Anello PC, accept service on behalf of Raubritter. As alleged in the Complaint, LaRosa acted as the "Authorized Representative" of Raubritter. Mr. Spiro declined to accept service on behalf of Raubritter.
4. Plaintiff is seeking additional information to determine the current legal status and location of Raubritter.
5. This request is Plaintiff's first request for an extension of time to serve process on Raubritter.
6. Pursuant to Fed. R. Civ. P. 4(m), this request is brought in good faith and not for the purpose of delay, and good cause exists to allow the additional time requested.
7. The time in which Plaintiff has to serve process on Raubritter has not expired, and pursuant to Your Honor's Individual Practices, this request is made more than two days before the deadline to serve process.

Therefore, Plaintiff SKAT respectfully requests that this Court enter an Order enlarging by an additional ninety (90) days, until November 26, 2018, the period of time in which the Plaintiff may effect service of the following documents docketed in *SKAT v. Raubritter LLC Pension Plan, et al.*, Case No. 18-cv-04833, on Raubritter: the Complaint (Dkt. No. 1), the Summons (Dkt. No. 9), and the Order re: Scheduling and Initial Pretrial Conference (Dkt. No. 10).

Respectfully submitted,

s/ Sarah Cave

Sarah Cave

Attachment

cc: Counsel of record, via ECF

Granted
W. H. Kaplan
8/25/18

United States District Court
Southern District of New York

SKAT

Plaintiff

VS

Raubritter LLC Pension Plan and Adam Larosa
Defendant

AFFIDAVIT OF ATTEMPTED SERVICE

File/Index No.: 18-CV-04833

Issued On:

Alt File/Index No.:

Calendar No.:

SERVICE UPON: Raubritter LLC Pension Plan

STATE OF New York, COUNTY OF Queens: ss

John Athanasatos being duly sworn, deposes and says: I am not a party to the within action, am over the age of 18 years and reside in the State of New York.

I was unable to effect service of process of the following documents: Summons and Complaint; Scheduling Order upon Raubritter LLC Pension Plan after due diligent efforts to do so at the following dates and times and at the following places:

On 6/21/2018 at 5:34 PM at 160 Central Park South, 1726, New York, NY 10019. This location is the JW Marriot Essex Hotel. I went up to suite 1726. I rang the doorbell and knocked on the door, but there was no reply. As I was leaving, I went to the Concierge Desk and spoke with Jenny Levina. She told me there are condominium units in the hotel, and said that neither Adam Larosa or Raubritter LLC Pension Plan are listed as resident or owner. She would not tell me who the owner is.

Subscribed and sworn before me on 07/24/2018

Notary Public:

Notary #: Qualified in County:

My Commission expires on:

BARRY S. NEWMAN

Notary Public, State of New York.

No. 01NE6070340

Qualified in Queens County

Commission Expires June 4, 2022

John Athanasatos 2067480-DCA
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(212) 227-9600



Order #: T83932

AFFIDAVIT OF NON SERVICE